

HUBR-1279-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Eibl, et al.
 Serial No. : 10/527,222
 Filed :
 For : THERMOLABILE LIPOSOME WITH A CONTROLLED
 RELEASE TEMPERATURE
 Art Unit : To be assigned
 Examiner : To be assigned

December 21, 2005

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA. 22313-1450
 MS: PCT

I hereby certify that this correspondence is being sent by Express Mail No; EV 793659477 US in an envelope ddressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA. 22313-1450 on the date shown below:

Eileen Sheffield

Signature

Date

Eileen Sheffield 12/21/05

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

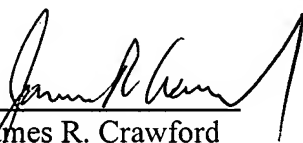
Responsive to the Notification of Missing Requirements mailed September 23, 2005 (copy enclosed), applicants submit herewith the executed declaration. Also enclosed is a one-month petition for extension of time and fee and the surcharge fee for late filing of declaration.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in

this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-HUBR-1279-US. A duplicate copy of this paper is enclosed.

Respectfully submitted

FULBRIGHT & JAWORSKI L.L.P.

By 
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,222	Hansjorg Eibl	NY-HÜBR-1279-US

INTERNATIONAL APPLICATION NO.

PCT/EP03/10163

I.A. FILING DATE	PRIORITY DATE
09/12/2003	09/12/2002

024972
 FULBRIGHT & JAWORSKI, LLP
 666 FIFTH AVE
 NEW YORK, NY 10103-3198

CONFIRMATION NO. 3227

371 FORMALITIES LETTER



Date Mailed: 09/23/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/10/2005
- English Translation of the IA filed on 03/10/2005
- Copy of the International Search Report filed on 03/10/2005
- Preliminary Amendments filed on 03/10/2005
- Information Disclosure Statements filed on 03/10/2005
- Oath or Declaration filed on 03/10/2005
- Request for Immediate Examination filed on 03/10/2005
- U.S. Basic National Fees filed on 03/10/2005
- Priority Documents filed on 03/10/2005

12/28/2005 ATRAN1 00000122 10527222

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - does not identify the application to which it is directed.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,222	PCT/EP03/10163	NY-HUBR-1279-US